

IAP6 Rec'd PCT/PTO 20 JUL 2007

I hereby certify that this paper (along with any paper referred to as being transmitted therewith) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Donna J. Macedo

(Type or print name of person mailing paper)

*Donna J. Macedo*

(Signature of person mailing paper)

Date: July 18, 2007

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Tomas Cihlar et al.

Serial No.: 10/586,627

Group No.: N/A

I.A. Filed: January 21, 2005

Examiner: N/A

For: USE OF ADEFOVIR OR  
TENOFVIR FOR INHIBITING  
MMTV-LIKE VIRUSES INVOLVED  
IN BREAST CANCER AND  
PRIMARY BILIARY CIRRHOSIS

Docket No: 599.PFUS

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## COMPLETION OF FILING REQUIREMENTS

- ☒ This replies to the Notification of Missing Requirements Under U.S.C. 371 In the United States Designated/Elected Office (DO/EO/US) mailed April 9, 2007
- ☒ A copy of the Notification of Missing Requirements Under U.S.C. 371 In the United States Designated/Elected Office (DO/EO/US) is enclosed.
- ☒ Response to Notification of Missing Requirements Under U.S.C. 371 In the United States Designated/Elected Office (DO/EO/US) is enclosed.

## DECLARATION OR OATH

- II. ☒ No original executed declaration or oath was filed and enclosed is the original executed declaration or oath for this application

OR

- ☐ The original declaration or oath which was filed was determined to be defective. A new original oath or declaration is attached.

Attached is a

- (c) ☐ Statement by a registered attorney that the application filed in the PTO is the application which the inventor executed by signing the declaration.
- (d) ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

**AMENDMENT**

- III. ☐ Cancel claims \_\_\_\_\_ inclusive.
- ☐ Preliminary Amendment

**TRANSMITTAL OF ENGLISH TRANSLATION  
OF NON-ENGLISH LANGUAGE PAPERS**

- IV. ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

**COMPLETION FEES**

- VI. 1. Filing fee
- ☐ original patent application  
(37 CFR 1.16 (a)----\$770.00; small entity----\$385.00) \$ \_\_\_\_\_
- ☐ design application  
(37 CFR 1.16 (f)----\$340.00; small entity----\$170.00) \$ \_\_\_\_\_
2. fees for claims
- ☐ each independent claim in excess of 3  
(37 CFR 1.16 (b)----\$200.00; small entity----\$100.00) \$ \_\_\_\_\_
- ☐ each claim in excess of 20  
(37 CFR 1.16 (c)----\$50.00; small entity----\$25.00) \$ \_\_\_\_\_
- ☐ multiple dependent claim(s)  
(37 CFR 1.16 (d)----\$360.00; small entity----\$180.00) \$ \_\_\_\_\_
3. surcharge fees
- ☐ late payment of filing fee *and/or*
- ☒ late filing of original declaration or oath  
(37 CFR 1.16 (e)----\$130.00; small entity----\$65.00) \$ 130.00
4. ☐ petition and fee for filing by other than all the inventors or a person not the inventor  
(37 CFR 1.17 (h) and 1.47----\$130.00) \$ \_\_\_\_\_
5. ☐ fee for processing an application filed with a specification in a non-English language  
(37 CFR 1.17 (k) and 1.52 (d)----\$130.00) \$ \_\_\_\_\_
6. ☐ fee for processing and retention of application  
(37 CFR 1.21 (l) and 1.53 (d)----\$300.00) \$ \_\_\_\_\_
- Total completion fees \$ 130.00

### EXTENSION OF TIME

**VII.**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 (a) apply.

- (a) ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17 (a)-(d)), for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/>	one month	\$120.00	\$60.00
<input checked="" type="checkbox"/>	two months	\$450.00	\$225.00
<input type="checkbox"/>	three months	\$1,020.00	\$510.00
<input type="checkbox"/>	four months	\$1,590.00	\$795.00
<input type="checkbox"/>	five months	\$2,160.00	\$1,080.00
		Fee \$	450.00

If an additional extension of time is required please consider this a petition therefor.

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 450.00

**OR**

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

### TOTAL FEE DUE

VIII. The total fee due is  
Completion fee(s) \$ 130.00  
Extension fee (if any) \$ 450.00  
TOTAL FEE DUE \$ 580.00

### PAYMENT OF FEES

**IX.**

- ☐ Check in the amount of \$ \_\_\_\_\_  
☒ Charge Account No. 07-1250 in the amount of \$ 580.00  
A duplicate of this transmittal is attached.

### AUTHORIZATION TO CHARGE ADDITIONAL FEES

**X.**

- ☒ The Commissioner is hereby authorized by this document to charge any additional fees which may be required by this paper and during the entire pendency of this application to Account No. 07-1250, except the issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311 (b).

Reg. No. 38,945  
Tel. No.: (650) 522-6101

CUSTOMER NO: 25000

  
SIGNATURE OF ATTORNEY

Allan N. Kutzenko

Type or print name of attorney

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07/24/2007 MKAYPAGH 00000156 071250 10586627

01 FC:1617 130.00 DA

07/24/2007 MKAYPAGH 00000156 071250 10586627

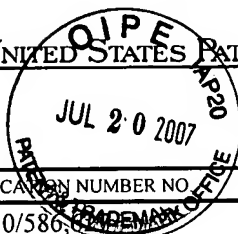
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UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/586,024	FIRST NAMED APPLICANT Tomas Cihlar	ATTY. DOCKET NO. 599.PFUS
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25000  
 GILEAD SCIENCES INC  
 333 LAKESIDE DR  
 FOSTER CITY, CA 94404

INTERNATIONAL APPLICATION NO. PCT/US05/02043	
I.A. FILING DATE 01/21/2005	PRIORITY DATE 01/21/2004

CONFIRMATION NO. 6114  
 371 FORMALITIES LETTER



\*OC000000023286245\*

Date Mailed: 04/09/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/19/2006
- Copy of the International Search Report filed on 07/19/2006
- Request for Immediate Examination filed on 07/19/2006
- U.S. Basic National Fees filed on 07/19/2006
- Priority Documents filed on 07/19/2006
- Specification filed on 07/19/2006
- Claims filed on 07/19/2006
- Abstracts filed on 07/19/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/586,627	PCT/US05/02043	599.PFUS